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MEMO

To:
Delta Stewardship Council

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From:
Lawrence H. Roth, P.E., G.E.

Date:
October 15, 2010

ARCADIS Project No.:
RV 009825.0000

Subject:
Update on Matrix of Unresolved Issues

At your request, we have updated our Summary of Unresolved Issues to Date that was first included in the agenda package for the Council's meeting on September 23-24, 2010. The attached matrix is an updated version, in which the format for the first four columns is unchanged. We have added three columns entitled, Pending Information Requests, BDCP status as of 10-13-10, and Pending BDCP actions. This update shows what new information has become available to us, the information that will be discussed by BDCP in the near term, and our upcoming information requests to BDCP.

As you know BDCP will release a public viewing draft on November 18. A draft for public review including the draft EIR/EIS will be released in spring or early summer of 2011. With the November 18 date fast approaching, much new and valuable information has become or will soon become available. In addition, many unresolved issues have been addressed in "Issues for Discussion for the Bay Delta Conservation Plan," dated September 9, 2010 (draft), prepared by the California Natural Resources Agency (Issues Document).

The stated purpose of the California Natural Resources Agency Issues for Discussion document is to support discussion among key principals in BDCP about plan elements requiring guidance for resolution. As you know, this was not available when our original matrix was submitted to the



Council. Since it has become available, we have found the document to be helpful in providing needed information about BDCP. While this document has helped in addressing some of the unresolved issues in our matrix, we are not yet prepared to comment on the efficacy of these issues in meeting the Delta Reform Act criteria for BDCP inclusion into the Delta Plan. In other words, though marked “Addressed,” the issues still require guidance for resolution within BDCP, and will continue to be part of our ongoing review.

Notable progress and highlights from the BDCP steering committee and the issues for discussion document include:

- BDCP will schedule a workshop on the SWRCB Delta flows report for mid December.
- Good progress is being made on adaptive management and the logic chain, and more information is forthcoming.
- BDCP implementation and governance structure has been further defined.
- Preliminary results of the effects analysis have been discussed.
- Specific elements of a cohesive monitoring plan have yet to be articulated. Additional documents on this will be released at the November 18 steering committee meeting.
- A roadmap has been released for an approach to revise BDCP specific goals and objectives.

In the last column of our matrix, we have more clearly identified the information that we are requesting from the BDCP team to facilitate our ongoing review. Our team recently met with Undersecretary Karen Scarborough and BDCP Program Manager Karla Nemeth to discuss our review and to confirm lines of communication. Targeted information requests to BDCP as listed in the matrix will be made in the coming weeks.

Please note that our original matrix was not intended to be a critique of the current status of unresolved issues. The list is meant to identify currently unresolved issues – this does not mean that the issues are not being addressed within BDCP. In addition, we have included brief comments regarding the status of each issue with respect to the Council’s future determination of its resolution when additional information became available.

Finally, we have attached a draft outline of a supplemental scoping letter to the Department of Water Resources. This outline is subject for discussion during the upcoming Council meeting.